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21 *Attorneys for Plaintiffs*

22 **UNITED STATES DISTRICT COURT**

23 **DISTRICT OF NEVADA**

24 CYBERGUN S.A., a French Corporation, and
25 FN HERSTAL, S.A., a Belgian Corporation,

CASE NO. 2:12-cv-00074-APG-GWF

26 v.
27 Plaintiffs,

**NOTICE OF SETTLEMENT AND
MOTION TO VACATE HEARING**

28 JAG PRECISION, a California Corporation,
29 Defendant.

Plaintiffs Cybergun S.A. and FN Herstal, S.A. (collectively “Cybergun”), and Defendant Jag Precision (“Jag”), through undersigned counsel, advise the Court they have reached a settlement of this matter. Accordingly, the parties jointly move the Court to vacate the hearing scheduled for January 26, 2015. In support, the parties state as follows:

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1 1. On December 26, 2014, the Court issued a Minute Order, setting a hearing for oral
2 argument on Cybergun's Motion to Strike Previously Undisclosed Witness, Chris Butler (Dkt.
3 158) and on Jag's Motion to Strike Portions of Plaintiffs' Summary Judgment Papers Re:
4 Employee Expert Testimony (Dkt. 168) (together, "Motions to Strike").
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6 2. The parties have reached a settlement of all issues and are finalizing the
7 documentation. Given the settlement reached by the parties, a hearing on the aforementioned
8 Motions to Strike is no longer necessary.

9 FOR THESE REASONS, the parties move the Court to vacate the hearing set for January
10 26, 2015.

11 Respectfully Submitted,

13 /s/ Brett L. Foster
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26 /s/ David K. Lin
27 (*Signed by Filing Attorney with Permission of Defendant's Attorney*)
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10 Pursuant to the Notice of Settlement,

11 IT IS ORDERED that Plaintiff's Sealed Motion to Strike (Dkt. #158) and
12 Defendant's Sealed Motion to Strike [167] Motion to Seal (Dkt. #168) are denied,
without prejudice, as moot.

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14 IT IS FURTHER ORDERED that the hearing scheduled on January 26, 2015 at
9:30 a.m. is vacated.

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GEORGE FOLEY, JR.
United States Magistrate Judge

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Dated: January 23, 2015

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1 **CERTIFICATE OF SERVICE**

2 Pursuant to Fed. R. Civ. P. 5(b), I certify that on January 23, 2015, I served a true and
3 correct copy of the foregoing **NOTICE OF SETTLEMENT AND MOTION TO VACATE**
4 **HEARING** was served on counsel through the Court's electronic service system as follows:

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17 _____
18 /s/ Valerie Larsen
An Employee of Holland & Hart LLP

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